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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/626,863	07/25/2003	Pascal Haffner	016906-0283	9793
22428 . 75	90 05/06/2005		EXAMINER	
FOLEY AND LARDNER			JOHNSON, JONATHAN J	
SUITE 500 3000 K STREE	T NW		ART UNIT	PAPER NUMBER
WASHINGTO	N, DC 20007		1725	
	•		DATE MAILED: 05/06/2009	5

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	`				
<b></b>	10/626,863	HAFFNER ET AL.					
Office Action Summary	Examiner	Art Unit					
	Jonathan Johnson	1725					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR RE THE MAILING DATE OF THIS COMMUNICATIO  - Extensions of time may be available under the provisions of 37 CFF after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a  - If NO period for reply is specified above, the maximum statutory per  - Failure to reply within the set or extended period for reply will, by stany reply received by the Office later than three months after the mearned patent term adjustment. See 37 CFR 1.704(b).	N. R. 1.136(a). In no event, however, m reply within the statutory minimum of iod will apply and will expire SIX (6) atute, cause the application to becore	ay a reply be timely filed  of thirty (30) days will be considered timely.  MONTHS from the mailing date of this communication.  ne ABANDONED (35 U.S.C. § 133).					
Status		·					
1) Responsive to communication(s) filed on 1	<u> 4 March 2005</u> .						
2a) This action is <b>FINAL</b> . 2b) ⊠ 1	This action is <b>FINAL</b> . 2b)⊠ This action is non-final.						
·	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims		•					
<ul> <li>4)  Claim(s) 1-18 is/are pending in the applicate 4a) Of the above claim(s) 14-18 is/are without 5)  Claim(s) is/are allowed.</li> <li>6)  Claim(s) 1-10,12 and 13 is/are rejected.</li> <li>7)  Claim(s) 11 is/are objected to.</li> <li>8) Claim(s) 1-18 are subject to restriction and an are subject to restriction.</li> </ul>	Irawn from consideration.						
Application Papers							
9)☐ The specification is objected to by the Examiner.							
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35 U.S.C. § 119							
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>							
Attachment(s)							
Notice of References Cited (PTO-892)     Notice of Draftsperson's Patent Drawing Review (PTO-948)     Information Disclosure Statement(s) (PTO-1449 or PTO/SB Paper No(s)/Mail Date 7-25-03.  J.S. Patent and Trademark Office	Pape	iew Summary (PTO-413)  No(s)/Mail Date e of Informal Patent Application (PTO-152) :					

#### **DETAILED ACTION**

#### Election/Restrictions

Applicant's election of claims 1-13 in the reply filed on 3/14/05 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Burns (2,443,574). Burns teaches a brazing frame which comprises two brazing bars arranged parallel to each other (Figure 7, item 48) and a plurality of tie rods which connect the brazing bars together (figure 7, item 46); wherein the brazing bars are at a fixed distance b from each other which is capable of corresponds to a width of the block in a compressed condition suitable for brazing (figure 7, item 46); wherein the brazing bars have a height h and a length I which are capable of corresponding correspond to the height H and the length L of the block (figure 7, item 46); wherein the brazing bars have an open profile which opens toward one longitudinal side and which comprises a plurality of openings therein (figure 7, item 46 and 48); wherein the tie

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open toward the upper longitudinal sides of the brazing bars (figure 7, item 46); wherein the openings comprises slots arranged at right angles to the longitudinal side (figure 7, slots); further comprising transverse spars inter-connecting the tie rods (figure 7, item 46 and 48); wherein said openings comprise notches (figure 7, slots); wherein the brazing bars comprise angled profiles having a continuous leg and a leg comprising a plurality of notches (figure 7, item 46 and 48).

### Allowable Subject Matter

Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: The prior art of record does not suggest or teach a an apparatus for brazing a heat exchanger, particularly the claimed compression device.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Johnson whose telephone number is 571-272-1177. The examiner can normally be reached on M-Th 7:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on 571-272-1171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jonathan Johnson Primary Examiner Art Unit 1725